

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

DELROY JAMES SCOTT,

Defendant

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CRIMINAL NO. ELH-23-179

UNITED STATES' MOTION FOR PRELIMINARY ORDER OF FORFEITURE

The United States of America, by its undersigned attorneys, respectfully moves this Court for the issuance of a Preliminary Order of Forfeiture in the above-captioned case pursuant to 18 U.S.C. §§ 2253 and 2428, 28 U.S.C. § 2461(c), and Rule 32.2(b) of the Federal Rules of Criminal Procedure. A proposed Preliminary Order of Forfeiture is submitted herewith. In support thereof, the United States sets forth the following:

1. On May 17, 2023, a federal grand jury sitting in the District of Maryland returned an Indictment charging Delroy James Scott (the "Defendant") with Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b) (Counts One, Three, Four, and Five), Sexual Exploitation of a Child, in violation of 18 U.S.C. § 2251(a) (Counts Two and Six), and Possession of Child Pornography, in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2256 (Count Seven). ECF No. 2.

2. The Indictment also included a forfeiture allegation which provided notice that the United States intended to seek forfeiture, pursuant to 18 U.S.C. §§ 2253 and 2428 and 28 U.S.C. § 2461(c), upon conviction of the Defendant of the offenses alleged in Counts One through Seven of the Indictment.

3. On October 4, 2024, the Defendant pled guilty to the offenses alleged in Counts One and Two of the Indictment. ECF No. 51. As part of his guilty plea, the Defendant agreed to forfeit to the United States all right, title, and interest in the following items that the Defendant agreed constitute money, property, and/or assets derived from or obtained by the Defendant as a result of, or used to facilitate the commission of, the Defendant's offenses:

- (1) Apple iPhone XR, model: A1984, s/n: DX3ZNDDCKXKP (22-FBI-008958); and
- (2) homemade black computer tower #J21012513002, containing a Kingston SATA hard drive, 960GB, s/n: 50026B768381B312 (22-FBI-008958)

(collectively, the "Subject Property").

4. Pursuant to 18 U.S.C. §§ 2253 and 2428, 28 U.S.C. § 2461(c), and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, the United States is now entitled to a Preliminary Order of Forfeiture with respect to the Subject Property.

5. Upon the issuance of a Preliminary Order of Forfeiture and pursuant to 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6)(C) of the Federal Rules of Criminal Procedure, the United States shall publish, for thirty (30) consecutive calendar days on the government forfeiture website www.forfeiture.gov, notice of the Preliminary Order of Forfeiture, notice of the United States' intent to dispose of the Subject Property, and notice that any person, other than the Defendant, having or claiming a legal interest in the Subject Property must file a petition with the Court within sixty (60) days after the first day of publication on the government forfeiture website or within thirty (30) days after receipt of actual notice, whichever is earlier.

6. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Subject Property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's

right, title, or interest in the forfeited Subject Property and any additional facts supporting the petitioner's claim and the relief sought.

7. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the Subject Property that is the subject of the Preliminary Order of Forfeiture as a substitute for published notice as to those persons so notified.

8. The United States also seeks authority to conduct any discovery that might be necessary to identify, locate, or dispose of forfeited property, pursuant to Rule 32.2(b)(3) and (c)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).

WHEREFORE, the United States requests that this Court:

- (a) enter the Preliminary Order of Forfeiture in the form submitted herewith;
- (b) include the forfeiture, as set forth in the Preliminary Order of Forfeiture, in the oral pronouncement of the Defendant's sentence;
- (c) retain jurisdiction for the purpose of enforcing the forfeiture; and
- (d) incorporate the Preliminary Order of Forfeiture in the criminal judgment entered against the Defendant, pursuant to Federal Rule of Criminal Procedure 32.2(b)(4).

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: /s/
Paul E. Budlow
Assistant United States Attorney